

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

**ROGER STOKELY,**

**Petitioner,**

**v.**

**JOE McGRATH,**

**Respondent.**

**1: 01-CV - 6030 LJO WMW HC**

**ORDER ADOPTING  
FINDINGS AND  
RECOMMENDATIONS**

**[Doc. [71](#), [72](#)]**

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. Section 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On October 25, 2007, the Magistrate Judge filed findings and recommendations herein. These findings and recommendations were served on the parties and contained notice to the parties that any objections to the findings and recommendations were to be filed within thirty days. Petitioner filed objections on November 26, 2007.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) this court has

1 conducted a de novo review of this case. See Britt v. Simi Valley Unified School Dist., 708  
2 F.2d 452, 454 (9<sup>th</sup> Cir. 1983). Having carefully reviewed the entire file, the court finds the  
3 findings and recommendations to be supported by the record and by proper analysis.

4 Based on the foregoing, it is HEREBY ORDERED that:

- 5 1. The findings and recommendations issued by the Magistrate Judge on  
6 October 25, 2007, are adopted in full;
- 7 2. The petition for writ of habeas corpus is denied;
- 8 3. The Clerk of the Court is directed to enter judgment for Respondent and to close this  
9 case.

10 IT IS SO ORDERED.

11 **Dated: November 27, 2007**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE